## **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application:

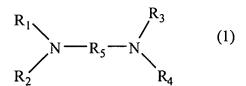
- 1. (Currently amended) A resin composition comprising a polyphenylene ether and a flame retardant, wherein said polyphenylene ether is obtained by polymerizing a monomer comprising 100 parts by weight of 2,6-dimethylphenol and from 1.0-7.5 parts 1.01 to 7% by weight of ortho cresol in the presence of a catalyst and an oxygen-containing gas.
- 2. (Previously presented) The resin composition according to claim 1, wherein said polyphenylene ether has a molecular weight distribution of 2.8-8.0.
- 3. (Previously presented) The resin composition according to claim 1, wherein said resin composition further includes a styrene resin.
- 4. (Previously presented) The resin composition according to claim 3, which comprises from 5-95 parts by weight of the polyphenylene ether, from 95-5 parts by weight of the styrene resin and from 1-30 parts by weight, based on 100 parts by weight of the polyphenylene ether and the styrene resin, of the flame retardant.
- 5. (Previously presented) The resin composition according to claim 1, wherein said flame retardant is at least one compound selected from the group consisting of a halogen compound, a silicone compound and a phosphorous compound.
- 6. (Currently amended) A process for producing a resin composition comprising a polyphenylene ether and a flame retardant, which comprises:

polymerizing a monomer comprising 100 parts by weight of 2,6-dimethylphenol and from 1.0-7.5 parts 1.01 to 7% by weight of ortho cresol in the presence of a catalyst and an oxygen-containing gas to obtain a polyphenylene ether, and

7. (Previously presented) The process according to claim 6, wherein said monomer is 2,6-dimethylphenol containing ortho cresol.

mixing said polyphenylene ether with a flame retardant.

- 8. (Previously presented) The process according to claim 6, wherein said 2,6-dimethylphenol and said ortho cresol are separately fed.
- 9. (Previously presented) The process according to claim 6, wherein said catalyst comprises a copper compound, a halogen compound and a diamine compound represented by the following formula (1):



wherein  $R_1$ ,  $R_2$ ,  $R_3$  and  $R_4$  each independently represents a hydrogen or a linear or branched  $C_{1-6}$  alkyl group, with the proviso that they do not represent hydrogen at the same time; and  $R_5$  represents a linear or methyl-branched  $C_{2-5}$  alkylene group.

- 10. (Previously presented) The process according to claim 9, wherein said catalyst further comprises at least one of a tertiary monoamine compound or a secondary monoamine compound.
- 11. (Currently amended) A polyphenylene ether having a molecular weight distribution of from 2.8-8.0, which is obtained by polymerizing a monomer

comprising 100 parts by weight of 2,6-dimethylphenol and from 1.0-7.5 parts 1.01 to 7% by weight of ortho cresol in the presence of an oxygen-containing gas and a catalyst comprising a copper compound, a halogen compound and a diamine compound represented by the following formula (1):

$$\begin{array}{cccc}
R_1 & & & R_3 \\
R_2 & & & R_4
\end{array}$$
(1)

wherein  $R_1$ ,  $R_2$ ,  $R_3$  and  $R_4$  each independently represents a hydrogen or a linear or branched  $C_{1-6}$  alkyl group, with the proviso that they do not represent hydrogen at the same time; and  $R_5$  represents a linear or methyl-branched  $C_{2-5}$  alkylene group.